

10/3/2019

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

Clerk, U.S. District Court
District of Montana
Helena Division

DAVID MICHAEL FARBER,

CV 18-00113-BLG-SPW-TJC

Plaintiff,

vs.

ORDER

BILLINGS POLICE DEPARTMENT
OFFICER ADAMS,

Defendant.

A review of the record reflects that Plaintiff David Farber has not filed an initial disclosure statement as required by Paragraph I(A) of the Court's Scheduling Order (Doc. 12). Mr. Farber must file this statement on or before October 18, 2019 or this matter will be recommended for dismissal. Mr. Farber is also reminded that he may not serve written discovery requests or take any depositions until he has filed his disclosure statement. (Scheduling Order, Doc. 12 at 5-6, ¶I(F)).

Based on the foregoing, the Court issues the following:

ORDER

On or before **October 25, 2019**, Mr. Farber must file a statement no longer than 15 pages that sets forth the following information:

- a. a brief factual outline of the case;
- b. the basis for federal jurisdiction and for venue in the Division;
- c. the factual basis of each claim or defense advanced by the party;
- d. the legal theory underlying each claim or defense, including, where necessary to a reasonable understanding of the claim or defense, citations to authority;
- e. a computation of damages;
- f. the pendency or disposition of any related state or federal litigation, including the court in which the proceeding was filed, the caption of the case, and the court number;
- g. proposed stipulations of fact;
- h. identification of controlling issues of law suitable for pretrial disposition;
- i. the name of each individual known or believed to have information that may be used in proving or denying any party's claims or defenses and a summary of that information; and
- j. the status of any settlement discussions and prospects for compromise of the case.

In addition, on or before **October 25, 2019**, Mr. Farber must file a notice with the Court confirming that he has served Defendants with copies of any of the following that are within his possession, custody, or control:

- a. All documents, electronically stored information, and tangible things that may be used in proving or denying any party's claims or defenses;
- b. Correspondence, grievances, grievance appeals, and other documents relating to requests for administrative remedies or the inability or failure to exhaust such remedies on all issues raised in the Complaint; and
- c. Medical records in his possession related to the injuries alleged in the Complaint from the alleged onset date to the date of the filing of the Complaint.

A failure to comply with this Order will result in a recommendation that this matter be dismissed for failure to comply with a court order.

DATED this 3rd day of October, 2019.

/s/ Timothy J. Cavan
Timothy J. Cavan
United States Magistrate Judge